

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,
Plaintiff,

v.

1979 ROLLS ROYCE SILVER WRAITH II,
VEHICLE IDENTIFICATION NUMBER
LRK 36784 AND WASHINGTON
REGISTRATION NUMBER 020PAW,
Defendant.

Civil Action No.

05 CV 10925 RGS

WARRANT AND MONITION

To: The United States Marshal for the District of
Massachusetts, or his Deputies

We Command that you give notice to all persons concerned
that a Verified Complaint for Forfeiture In Rem (the
"Complaint"), a copy of which is attached hereto, has been filed
by the United States of America against the defendant vehicle,
described as a 1979 Rolls Royce Silver Wraith II, Vehicle
Identification Number LRK 36784 and Washington Registration
Number 020PAW, seized by the United States Drug Enforcement
Administration on July 1, 2004, from 100 Main Street, Yarmouth,
Massachusetts (the "Defendant Vehicle"), more particularly
described in the Complaint for the forfeiture of the Defendant
Vehicle to the United States of America pursuant to Title 21,
United States Code, Section 881(a)(4) and Title 31, United States
Code, Section 5317(c)(2).

This Court has found probable cause for forfeiture.

Accordingly, you are hereby directed to serve, and give notice of, the Complaint by:

- (1) Publishing notice of the United States' intent to forfeit the Defendant Vehicle at least once for three (3) successive weeks in the Boston Herald or any other newspaper having a general circulation in this District; and
- (2) Mailing a copy of this Warrant and Monition, together with a copy of the Complaint to:

Harold V. Dutton, Jr., Esq.
As counsel for Henry Smith
1000 The Houston Building
2323 Caroline
Houston, TX 77004

Henry Smith
SPN # 02104228
Location # 2-D-2
701 North San Jacinto
Houston, TX 77702

Capital One Auto Finance
Attn. Legal Recourse
C/o Jeff Butler
3905 Dallas Parkway
Plano, TX 75093

Bernard C. Houston, Jr.
3801 47th Avenue SW
Seattle, WA 98116

by certified mail, postage prepaid and return receipt requested, or by serving such copies on the listed parties by hand.

You Are Further Commanded to arrest, attach, inspect and retain the Defendant Vehicle in your custody until further order of this Court.

You Are Further Commanded to give due notice by appropriate service of process, as provided herein, to all persons who claim an interest in the Defendant Vehicle, or assert that the Defendant Vehicle should not be condemned or disposed of pursuant to the prayer of the Complaint. Upon execution of this process, you are directed further to file the execution in this Court with your return thereon.

ALL CLAIMS TO THE DEFENDANT VEHICLE MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AND SERVED UPON THE UNITED STATES ATTORNEY'S OFFICE, ASSET FORFEITURE UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210, WITHIN THIRTY (30) DAYS AFTER PROCESS HAS BEEN EXECUTED OR WITHIN SUCH ADDITIONAL TIME AS MAY BE ALLOWED BY THIS COURT. ALL ANSWERS TO THE COMPLAINT MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AND SERVED UPON THE UNITED STATES ATTORNEY'S OFFICE, ASSET FORFEITURE UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210, WITHIN TWENTY (20) DAYS AFTER THE FILING OF THE CLAIM. CLAIMS MUST BE FILED IN ACCORDANCE WITH THE FEDERAL RULES OF CIVIL PROCEDURE, SUPPLEMENTAL RULES FOR CERTAIN ADMIRALTY AND MARITIME CLAIMS. THE PROCEDURES FOR FILING A PETITION FOR REMISSION OR MITIGATION ARE SET FORTH IN 28 C.F.R. PART 9. IN ADDITION TO THE PROCEDURES MANDATED BY THOSE REGULATIONS, A COPY OF ANY PETITION FOR REMISSION OR MITIGATION SHOULD BE FILED WITH THE SEIZING AGENCY,

WHICH IS THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, JFK
FEDERAL BUILDING, ROOM E-400, 15 NEW SUDBURY STREET, BOSTON,
MASSACHUSETTS 02203, ATTENTION ASSET FORFEITURE GROUP.

Sarah A. Thornton, Clerk
U.S. District Court

By:

Glenn Blaherty
Deputy Clerk

Date: 5/11, 2005

APPROVED AND SO ORDERED:

Richard A. Stearns
United States District Judge
Date: 5-6, 2005